

## **EXHIBIT 17**

Declaration of  
Plaintiff Ryan  
Richman

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN  
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,  
teachers in the New Hampshire Public Schools, and  
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN  
DURDEN, parents or guardians of children in the New  
Hampshire public schools.

Plaintiffs,

v.

FRANK EDELBLUT, in his Official Capacity as  
Commissioner of the DEPARTMENT OF EDUCATION  
("DOE"), CHRISTIAN KIM in his Official Capacity as the  
Chair of the NEW HAMPSHIRE COMMISSION ON  
HUMAN RIGHTS, and JOHN FOMELLA in his Official  
Capacity as ATTORNEY GENERAL of the State of New  
Hampshire.

Defendants.

Civil No. 1:21-cv-01077-PB

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ANDRES MEJIA,  
CHRISTINA KIM PHILIBOTTE, and  
NATIONAL EDUCATION ASSOCIATION-NEW  
HAMPSHIRE,

Plaintiffs,

v.

FRANK EDELBLUT, in his official capacity only as the  
Commissioner of the New Hampshire Department of  
Education,  
JOHN M. FORMELLA, in his official capacity only as the  
Attorney General of the State of New Hampshire,  
AHNI MALACHI, in her official capacity only as the  
Executive Director of the New Hampshire Commission for  
Human Rights,  
CHRISTIAN KIM, in his official capacity  
only as the Chair of the New Hampshire Commission for  
Human Rights,  
KEN MERRIFIELD, in his official capacity only as the  
Commissioner of the Department of Labor,

Defendants.

**DECLARATION OF RYAN RICHMAN**

I, Ryan Richman, pursuant to 28 U.S.C. § 1746, depose and say as follows:

1. My name is Ryan Richman. I am a high school World History teacher at Timberlane Regional High School, in Plaistow, New Hampshire where I have taught for the past 21 years.

2. Since the passage of the Divisive Concepts Law, I have felt reticent about teaching certain material in the classroom.

3. In my World History class, I often ask students to find an event in the news, bring it to class, and be prepared to discuss its connections with the past. Nine times out of 10, they are stories about oppression. They are stories about exclusionism. They are about the Rohingya and Uyghur genocides, which are going on right this second. They are about Black Lives Matter and similar political movements.

4. I also teach constitutional law to my high school students. I teach on affirmative action, the Voting Rights Act, and the Equal Rights Amendment. We discuss whether similar protections are still needed today.

5. When these topics are discussed in my classroom, I am nervous and guarded in my discussions. I worry that I will receive a call from my principal or an administrator as to whether there has been a complaint about my lessons.

6. Aside from not knowing what is and is not prohibited under the Divisive Concepts Law, I find that the legislation has brought the culture wars into my classroom and to extra-curricular activities.

7. In the classroom, I have noticed a rise in hostility and, frankly, antisemitism, as a gay and Jewish educator. For example, one student asked during discussions about the Holocaust whether people still espouse the views of Hitler. I mentioned certain hate groups, white supremacy, neo-Nazis, and politicians who have openly spoken out as Holocaust deniers.

Another student in my class stated that he would rather vote for the Holocaust denier than me, a reference to a prior unsuccessful run I made for local office.

8. In an end of the year project where I have students create “memes,” a student created one with the accompanying phrase “this is my final solution.”

9. The same politically charged and dangerous hate-filled atmosphere now exists outside the classroom. For example, last school year, the Gay-Straight Alliance, a group for which I was previously the faculty advisor, organized a school dance. Shortly thereafter, one of the district’s state representatives, Debra DeSimone, went to the Timberlane District School Board meeting, announcing that the LGBTQ community put on a dance, applied for by the Gay-Straight Alliance. She said that it was “not right” for a small, segregated group of kids to have a school-sponsored dance that was not open to everyone (despite it being open to all). In her view, “if you’re not gay, you’re not showing up” for fear of being ridiculed by other students. She insisted that the School Board “stop this from happening” in the future.

10. I am also the faculty advisor for the school’s Model United Nations team. Despite the importance of differing views and perspectives that the club normally values, these past two years, I have had to be restrained in what I can say around the students in their research for competitions, on the way to competitions, and in everyday interactions. I worry that if controversial topics such as the war in Ukraine are made topics at Model UN competitions, I will not be able to speak freely about the conflict and my views on the war, including the various views being espoused in the United States.

11. Next year, I will be teaching civics and economics at Timberlane. Normally, I would be excited about teaching this course during a primary year and would incorporate current events and the election process into the classroom learning experience. But my colleagues do

not want to speak about politics or the primary and, in fact, do not want to teach anything beyond what is contained in the curriculum. I am uncertain whether I will teach about the primaries that are occurring.

12. Because of the Divisive Concepts Law and the political environment it has created, I am constantly worried that there will be a complaint about my teaching and that I will be subject to investigation, charges, or worse.

13. While I still feel that I have much to give as a teacher, sadly this may be my final year teaching in Timberlane High School. I do not feel that I can teach honestly under the current legislative and political circumstances.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of August, 2023

*/s/ Ryan Richman*

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Ryan Richman